PATENT
4976US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cornelis et al.

Serial No.: To be assigned

Filed: July 26, 2001

For: NOVEL INTERNAL RIBOSOME ENTRY SITE, VECTOR CONTAINING SAME AND USES THEREOF

Examiner: To be assigned

Group Art Unit: To be assigned

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Preliminary Amendment

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

Before calculation of the filing fee, please amend the referenced application as follows:

IN THE CLAIMS:

3. (Amended) The isolated and/or recombinant nucleotide sequence of claim 2 wherein said cell cycle dependency is a G2/M cell cycle dependency.

11. (Amended) A chimeric gene comprising:

a) the isolated and/or recombinant nucleotide sequence of claim 3, and

b) one or more control sequences operably linked to said isolated and/or recombinant nucleotide sequence.

12. (Amended) A vector comprising the isolated and/or recombinant nucleic acid molecule of claim 3.

14. (Amended) A eukaryotic host cell comprising the nucleic acid molecule of claim 3.

17. (Amended) A method of inducing a cell cycle dependent initiation of translation in a eukaryotic cell, said method comprising introducing the isolated and/or recombinant nucleotide sequence of claim 3 into said eukaryotic cell.

20. (Amended) A pharmaceutical composition for treating and/or preventing a disease in a subject by gene therapy, said pharmaceutical composition comprising:

the isolated and/or recombinant nucleotide sequence of claim 3 together with means for delivering said isolated and/or recombinant nucleotide sequence to the subject.

Remarks

The application is to be amended as previously set forth. All amendments are made without prejudice or disclaimer. The amendments are made to bring the application closer to United States practice, for example, by removing multiple claim dependencies.

If questions exist after consideration of the foregoing, the Office is kindly requested to contact the applicants' representative at the address or telephone number below.

Respectfully submitted,

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Date: July 25, 2001

Enclosed: Version with Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

3. (Amended) The isolated and/or recombinant nucleotide sequence of claim [1 or] 2 wherein said cell cycle dependency is a G2/M cell cycle dependency.

11. (Amended) A chimeric gene comprising:

a) the isolated and/or recombinant nucleotide sequence of [any one of claims 1 to 10]claim 3, and

b) one or more control sequences operably linked to said isolated and/or recombinant nucleotide sequence.

12. (Amended) A vector comprising the isolated and/or recombinant nucleic acid molecule of [any of claims 1 to 10 or comprising a chimeric gene according to claim 11]claim 3.

14. (Amended) A eukaryotic host cell comprising the nucleic acid molecule of [any of claims 1 to 10 or comprising the chimeric gene of claim 11]claim 3.

17. (Amended) A method of inducing a cell cycle dependent initiation of translation in a eukaryotic [cells]cell, said method comprising introducing the isolated and/or recombinant nucleotide sequence of [any of claims 1-10]claim 3 into said eukaryotic cell.

20. (Amended) A pharmaceutical composition for treating and/or preventing a disease in a subject by gene therapy, said pharmaceutical composition comprising:

[the vector of claim 12 or 13, or]

the isolated and/or recombinant nucleotide sequence of [any of claims 1 to 10]claim 3 together with means for delivering said isolated and/or recombinant nucleotide sequence to the subject.